

State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0538/PZ 13

CMH:wlijjm

Stays

DOA:.....Kirby, BB0093 - Crime Victim Compensation Changes

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

*down*

1 AN ACT relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**JUSTICE**

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 **SECTION 1.** 20.455 (2) (i) 8m. of the statutes is created to read:

3 20.455 (2) (i) 8m. The amount transferred to sub. (5) (gc) shall be the amount  
4 in the schedule under sub. (5) (gc).

5 **SECTION 2.** 20.455 (5) (g) of the statutes is amended to read:

6 20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*

7 The amounts in the schedule for purposes of ch. 950. All moneys received from any  
8 crime victim and witness assistance surcharge authorized under s. 973.045 (1) that

1 are allocated to this appropriation account under s. 973.045 (2m) (b), all moneys  
2 received from any crime victim and witness assistance surcharge authorized under  
3 s. 973.045 or (1m), and all moneys received from any delinquency victim and witness  
4 assistance surcharge authorized under s. 938.34 (8d) (a) shall be credited to this  
5 appropriation account. The department of justice shall transfer from this  
6 appropriation account to the appropriation account under par. (kj) the amounts in  
7 the schedule under par. (kj).

8 **SECTION 3.** 20.455 (5) (gc) of the statutes is ~~amended to read:~~ *repealed*

9 20.455 (5) (gc) *Crime victim and witness surcharge, sexual assault victim*  
10 *services.* All moneys received from any crime victim and witness assistance  
11 surcharge authorized under s. 973.045 (1) that are allocated to this appropriation  
12 account under s. 973.045 (2m) (a), to provide The amounts in the schedule for the  
13 purposes of providing grants for sexual assault victim services under s. 165.93 and  
14 to administer administering the grant program. All moneys transferred from the  
15 appropriation account under s. 20.455 (2) (i) 8m. shall be credited to this  
16 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered  
17 balance on June 30 of each year shall be transferred to the appropriation account  
18 under s. 20.455 (2) (i).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: Please review this provision to ensure it is consistent with your intent.

19 Please Fix Comp. **SECTION 4.** 20.455 (5) (kj) of the statutes is renumbered 20.455 (5) (e) and  
20 amended to read: *KJ*

21 20.455 (5) (e) *Victim payments, victim surcharge.* The amounts in the schedule  
22 for the payment of compensation and funeral and burial expenses awards to the  
23 victims of crimes under subch. I of ch. 949. All moneys transferred from the

1 ~~appropriation account under par. (g) shall be credited to this appropriation account.~~

2 If the department of justice determines that the total of the amounts in this  
3 appropriation account and the amounts for compensation and awards to victims of  
4 crime under subch. I of ch. 949 in the appropriation accounts under pars. (b), (h), (i)  
5 and (m) exceeds the amount needed to fully fund compensation and awards to victims  
6 of crimes under subch. I of ch. 949, the department of justice may transfer moneys  
7 from this appropriation account to the appropriation account under par. (kk). The  
8 amount transferred to the appropriation account under par. (kk) may not exceed the  
9 amount by which the total amounts appropriated under this paragraph and pars. (b),  
10 (h), (i) and (m) for compensation and awards to victims of crimes under subch. I of  
11 ch. 949 exceed the amount needed to fully fund compensation and awards to victims  
12 of crimes under subch. I of ch. 949.

\*\*\*NOTE: Please review this; is this what you intended?

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats

13 **SECTION 5.** 20.455 (5) (kk) of the statutes is amended to read:

14 20.455 (5) (kk) *Reimbursement to counties for providing victim and witness*  
15 *services.* All moneys transferred from the appropriation account under par. (kj) (e)  
16 for the purpose of reimbursing counties under s. 950.06 (2) for costs incurred in  
17 providing services to victims and witnesses.

18 **SECTION 6.** 973.045 (1r) of the statutes is repealed.

19 **SECTION 7.** 973.045 (2) of the statutes is amended to read:

20 973.045 (2) After the clerk determines the amount due, the clerk of court shall  
21 collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The  
22 county treasurer shall then make payment to the secretary of administration under  
23 s. 59.25 (3) (f) 2. The secretary of administration shall credit to the appropriation

MS  
3-18

1 account under s. 20.455 (5) (g) the amount paid to the secretary by the county  
2 treasurer under this subsection and any amount collected under sub. (4).

3           SECTION 8. 973.045 (2m) of the statutes is repealed.

4           SECTION 9. 973.045 (3) of the statutes is repealed.

5                           (END)

**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0538/p3ins  
CMH:.....

1           Insert 2-19

2           **SECTION ~~1~~** 20.455 (5) (gc) of the statutes is renumbered 20.455 (5) (e) and  
3   amended to read:

4           20.455 (5) (e) *Crime victim and witness surcharge, sexual assault victim*  
5   *services. All moneys received from any crime victim and witness assistance*  
6   *surcharge authorized under s. 973.045 (1) that are allocated to this appropriation*  
7   *account under s. 973.045 (2m) (a), The amounts in the schedule to provide grants for*  
8   sexual assault victim services under s. 165.93 and to administer the grant program.

**History:** 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326; 2005 a. 25 ss. 356c to 363r, 415m to 415v, 415w, 416g, 416h; 2005 a. 60, 254, 433; 2007 a. 1; 2007 a. 20 ss. 482 to 500, 9121 (6) (a); 2007 a. 200; 2009 a. 28, 179, 358; 2011 a. 32, 35.

**NOTE:** This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9  
10          Insert 3-18

11          **SECTION ~~1~~** 165.93 (2) (a) <sup>✓</sup> of the statutes is amended to read:

12          165.93 (2) (a) Beginning on January 1, 1995, the department shall provide  
13   grants to eligible organizations from the appropriation under s. 20.455 (5) (ge) <sup>✓</sup> (e) to  
14   provide services for sexual assault victims.

**History:** 1993 a. 16, 227; 1995 a. 225; 2005 a. 253, 277, 278; 2007 a. 1.

## Hanaman, Cathlene

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**From:** Kirby, Peter W - DOA <Peter.Kirby@wisconsin.gov>  
**Sent:** Wednesday, January 30, 2013 5:21 PM  
**To:** Hanaman, Cathlene  
**Subject:** 0538/P3

Hi Cathlene,

Hopefully the last changes for this one.

I believe both 455(c) and 455(kj) need to be removed from the statutes since all the money is being taken out and they will no longer be used.

Please let me know if you have any questions.

Thanks,

Peter

**Peter Kirby**  
State Budget Office  
Phone: 608.267.0370



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0538/P3

CMH:wlj:jf

stays

DOA:.....Kirby, BB0093 – Crime Victim Compensation Changes

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

Do Not Gen

1 **AN ACT ...; relating to:** the budget.

---

*Analysis by the Legislative Reference Bureau*

**JUSTICE**

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1WS  
1-2

2 **SECTION 1.** 20.455 (5) (g) of the statutes is amended to read:

3 20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*

4 The amounts in the schedule for purposes of ch. 950. All moneys received from any

5 crime victim and witness assistance surcharge authorized under s. 973.045 (1) that

6 ~~are allocated to this appropriation account under s. 973.045 (2m) (b), all moneys~~

7 ~~received from any crime victim and witness assistance surcharge authorized under~~

8 ~~s. 973.045 or (1m),~~ and all moneys received from any delinquency victim and witness

1 assistance surcharge authorized under s. 938.34 (8d) (a) shall be credited to this  
2 appropriation account. ~~The department of justice shall transfer from this~~  
3 ~~appropriation account to the appropriation account under par. (kj) the amounts in~~  
4 ~~the schedule under par. (kj).~~

5 SECTION 2. 20.455 (5) (gc) of the statutes is renumbered 20.455 (5) (e) and  
6 amended to read:

7 20.455 (5) (e) *Crime victim and witness surcharge, sexual assault victim*  
8 *services.* ~~All moneys received from any crime victim and witness assistance~~  
9 ~~surcharge authorized under s. 973.045 (1) that are allocated to this appropriation~~  
10 ~~account under s. 973.045 (2m) (a),~~ The amounts in the schedule to provide grants for  
11 sexual assault victim services under s. 165.93 and to administer the grant program.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12 *Please delete this component*  
SECTION 3. 20.455 (5) (kj) of the statutes is ~~amended to read:~~ *repealed*

13 20.455 (5) (kj) *Victim payments, victim surcharge.* The amounts in the schedule  
14 for the payment of compensation and funeral and burial expenses awards to the  
15 victims of crimes under subch. I of ch. 949. ~~All moneys transferred from the~~  
16 ~~appropriation account under par. (g) shall be credited to this appropriation account.~~  
17 If the department of justice determines that the total of the amounts in this  
18 appropriation account and the amounts for compensation and awards to victims of  
19 crime under subch. I of ch. 949 in the appropriation accounts under pars. (b), (h), (i)  
20 and (m) exceeds the amount needed to fully fund compensation and awards to victims  
21 of crimes under subch. I of ch. 949, the department of justice may transfer moneys  
22 from this appropriation account to the appropriation account under par. (kk). The  
23 amount transferred to the appropriation account under par. (kk) may not exceed the



1 amount by which the total amounts appropriated under this paragraph and pars. (b),  
2 (h), (i) and (m) for compensation and awards to victims of crimes under subch. I of  
3 ch. 949 exceed the amount needed to fully fund compensation and awards to victims  
4 of crimes under subch. I of ch. 949.

\*\*\*\*NOTE: Please review this; is this what you intended?

5 **SECTION 4.** 165.93 (2) (a) of the statutes is amended to read:

6 165.93 (2) (a) Beginning on January 1, 1995, the department shall provide  
7 grants to eligible organizations from the appropriation under s. 20.455 (5) ~~(ge)~~ (e) to  
8 provide services for sexual assault victims.

9 **SECTION 5.** 973.045 (1r) of the statutes is repealed.

10 **SECTION 6.** 973.045 (2) of the statutes is amended to read:

11 973.045 (2) After the clerk determines the amount due, the clerk of court shall  
12 collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The  
13 county treasurer shall then make payment to the secretary of administration under  
14 s. 59.25 (3) (f) 2. The secretary of administration shall credit to the appropriation  
15 account under s. 20.455 (5) (g) the amount paid to the secretary by the county  
16 treasurer under this subsection and any amount collected under sub. (4).

17 **SECTION 7.** 973.045 (2m) of the statutes is repealed.

18 **SECTION 8.** 973.045 (3) of the statutes is repealed.

19 (END)

**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0538/p4ins  
CMH:.....

1           Insert 1-2

2           **SECTION ~~4~~** 20.455 (5) (c) of the statutes is repealed.

          \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3  
4           Insert 3-5

5           **SECTION ~~4~~** 20.455 (5) (kk) of the statutes is repealed.

          \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6  
7           Insert 3-9

8           **SECTION ~~4~~** 950.06 (2) of the statutes is amended to read:

9           950.06 (2) The costs of providing services under sub. (1m) shall be paid for by  
10       the county, but the county is eligible to receive reimbursement from the state for not  
11       more than 90% of the costs incurred in providing those services. The department  
12       shall determine the level of services for which a county may be reimbursed. The  
13       county board shall file a claim for reimbursement with the department. The  
14       department shall reimburse counties under this subsection from the ~~appropriation~~  
15       appropriations under s. 20.455 (5) (k), ~~(kk)~~ and (kp) and, on a semiannual basis, from  
16       the ~~appropriations~~ appropriation under s. 20.455 (5) ~~(e)~~ and (g).

**History:** 1979 c. 219; 1981 c. 20; 1983 a. 27, 364; 1987 a. 244; 1991 a. 159; 1997 a. 181, 237; 1999 a. 9.



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0538/P4

CMH:wlj:rs

stays

DOA:.....Kirby, BB0093 - Crime Victim Compensation Changes

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

PWF  
8/4/13  
Jm

- done for act

1 **AN ACT ...; relating to:** the budget.

*Analysis by the Legislative Reference Bureau*

**JUSTICE**

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 **SECTION 1.** 20.455 (5) (c) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 2.** 20.455 (5) (g) of the statutes is amended to read:

4 20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*

5 The amounts in the schedule for purposes of ch. 950. All moneys received from any

6 crime victim and witness assistance surcharge authorized under s. 973.045 (1) that

7 ~~are allocated to this appropriation account under s. 973.045 (2m) (b), all moneys~~

received from any crime victim and witness assistance surcharge authorized under s. 973.045 or (1m), and all moneys received from any delinquency victim and witness assistance surcharge authorized under s. 938.34 (8d) (a) shall be credited to this appropriation account. ~~The department of justice shall transfer from this appropriation account to the appropriation account under par. (kj) the amounts in the schedule under par. (kj).~~

**SECTION 3.** 20.455 (5) (gc) of the statutes is renumbered 20.455 (5) (e) and amended to read:

20.455 (5) (e) *Crime victim and witness surcharge, sexual assault victim services.* ~~All moneys received from any crime victim and witness assistance surcharge authorized under s. 973.045 (1) that are allocated to this appropriation account under s. 973.045 (2m) (a),~~ The amounts in the schedule to provide grants for sexual assault victim services under s. 165.93 and to administer the grant program.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 4.** 20.455 (5) (kj) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 5.** 20.455 (5) (kk) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 6.** 165.93 (2) (a) of the statutes is amended to read:

165.93 (2) (a) Beginning on January 1, 1995, the department shall provide grants to eligible organizations from the appropriation under s. 20.455 (5) (ge) (e) to provide services for sexual assault victims.

**SECTION 7.** 950.06 (2) of the statutes is amended to read:

950.06 (2) The costs of providing services under sub. (1m) shall be paid for by the county, but the county is eligible to receive reimbursement from the state for not more than 90% of the costs incurred in providing those services. The department shall determine the level of services for which a county may be reimbursed. The county board shall file a claim for reimbursement with the department. The department shall reimburse counties under this subsection from the ~~appropriation~~ appropriations under s. 20.455 (5) (k), ~~(kk)~~ and (kp) and, on a semiannual basis, from the ~~appropriations~~ appropriation under s. 20.455 (5) ~~(e)~~ and (g).

**SECTION 8.** 973.045 (1r) of the statutes is repealed.

**SECTION 9.** 973.045 (2) of the statutes is amended to read:

973.045 (2) After the clerk determines the amount due, the clerk of court shall collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to the secretary of administration under s. 59.25 (3) (f) 2. The secretary of administration shall credit to the appropriation account under s. 20.455 (5) (g) the amount paid to the secretary by the county treasurer under this subsection and any amount collected under sub. (4).

**SECTION 10.** 973.045 (2m) of the statutes is repealed.

**SECTION 11.** 973.045 (3) of the statutes is repealed.

(END)

**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0538/p5ins  
CMH:.....

1

Insert A

Under current law, if a court imposes a sentence or places a person on probation following a conviction for a crime, the court must impose a crime victim and witness assistance surcharge of \$67 for each misdemeanor conviction and \$92 for each felony conviction. Then the clerk of court must allocate specified portions of the collected surcharge in a specified order to appropriations that fund services for the rights of crime victims and witnesses and fund grants for sexual assault victim services. This bill allocates the entire surcharge to fund services for the rights of crime victims and witnesses and creates a general purpose revenue appropriation to fund grants for sexual assault victim services.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

## Hanaman, Cathlene

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**From:** Kirby, Peter W - DOA <Peter.Kirby@wisconsin.gov>  
**Sent:** Saturday, February 09, 2013 11:37 AM  
**To:** Hanaman, Cathlene  
**Subject:** 0538/P5

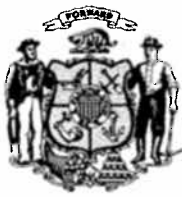
Hi Cathlene,

Leah asked me to inquire if it was too late to change the appropriation just to Sexual Assault Victim Services. If it is too late or too much of a hassle, don't worry about it.

Thanks,

Peter

**Peter Kirby**  
State Budget Office  
Phone: 608.267.0370



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0538/P5 P6

CMH:wlijjm



DOA:.....Kirby, BB0093 – Crime Victim Compensation Changes

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

*done for cat*

1 **AN ACT ...; relating to: the budget.**

---

*Analysis by the Legislative Reference Bureau*

**JUSTICE**

Under current law, if a court imposes a sentence or places a person on probation following a conviction for a crime, the court must impose a crime victim and witness assistance surcharge of \$67 for each misdemeanor conviction and \$92 for each felony conviction. Then the clerk of court must allocate specified portions of the collected surcharge in a specified order to appropriations that fund services for the rights of crime victims and witnesses and fund grants for sexual assault victim services. This bill allocates the entire surcharge to fund services for the rights of crime victims and witnesses and creates a general purpose revenue appropriation to fund grants for sexual assault victim services.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 **SECTION 1.** 20.455 (5) (c) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.



1           **SECTION 2.** 20.455 (5) (g) of the statutes is amended to read:

2           20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*

3           The amounts in the schedule for purposes of ch. 950. All moneys received from any  
4           crime victim and witness assistance surcharge authorized under s. 973.045 (1) ~~that~~  
5           ~~are allocated to this appropriation account under s. 973.045 (2m) (b), all moneys~~  
6           ~~received from any crime victim and witness assistance surcharge authorized under~~  
7           ~~s. 973.045 or (1m), and all moneys received from any delinquency victim and witness~~  
8           ~~assistance surcharge authorized under s. 938.34 (8d) (a) shall be credited to this~~  
9           ~~appropriation account. The department of justice shall transfer from this~~  
10          ~~appropriation account to the appropriation account under par. (kj) the amounts in~~  
11          ~~the schedule under par. (kj).~~

12          **SECTION 3.** 20.455 (5) (gc) of the statutes is renumbered 20.455 (5) (e) and  
13          amended to read:

14          20.455 (5) (e) ~~Crime victim and witness surcharge, sexual~~ <sup>Sexual</sup> <sup>assault</sup> <sup>victim</sup>  
15          ~~services. All moneys received from any crime victim and witness assistance~~  
16          ~~surcharge authorized under s. 973.045 (1) that are allocated to this appropriation~~  
17          ~~account under s. 973.045 (2m) (a),~~ The amounts in the schedule to provide grants for  
18          sexual assault victim services under s. 165.93 and to administer the grant program.

          \*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
          reflected in the revised schedule in s. 20.005, stats.

19          **SECTION 4.** 20.455 (5) (kj) of the statutes is repealed.

          \*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
          reflected in the revised schedule in s. 20.005, stats.

20          **SECTION 5.** 20.455 (5) (kk) of the statutes is repealed.

          \*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
          reflected in the revised schedule in s. 20.005, stats.

21          **SECTION 6.** 165.93 (2) (a) of the statutes is amended to read:

165.93 (2) (a) Beginning on January 1, 1995, the department shall provide grants to eligible organizations from the appropriation under s. 20.455 (5) ~~(ge)~~ (e) to provide services for sexual assault victims.

**SECTION 7.** 950.06 (2) of the statutes is amended to read:

950.06 (2) The costs of providing services under sub. (1m) shall be paid for by the county, but the county is eligible to receive reimbursement from the state for not more than 90% of the costs incurred in providing those services. The department shall determine the level of services for which a county may be reimbursed. The county board shall file a claim for reimbursement with the department. The department shall reimburse counties under this subsection from the ~~appropriation~~ appropriations under s. 20.455 (5) (k), ~~(kk)~~ and (kp) and, on a semiannual basis, from the ~~appropriations~~ appropriation under s. 20.455 (5) ~~(e)~~ and (g).

**SECTION 8.** 973.045 (1r) of the statutes is repealed.

**SECTION 9.** 973.045 (2) of the statutes is amended to read:

973.045 (2) After the clerk determines the amount due, the clerk of court shall collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to the secretary of administration under s. 59.25 (3) (f) 2. The secretary of administration shall credit to the appropriation account under s. 20.455 (5) (g) the amount paid to the secretary by the county treasurer under this subsection and any amount collected under sub. (4).

**SECTION 10.** 973.045 (2m) of the statutes is repealed.

**SECTION 11.** 973.045 (3) of the statutes is repealed.

(END)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0538/P8

CMH:wlj/rs

DOA:.....Kirby, BB0093 - Crime Victim Compensation Changes

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

1 **AN ACT** ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**JUSTICE**

Under current law, if a court imposes a sentence or places a person on probation following a conviction for a crime, the court must impose a crime victim and witness assistance surcharge of \$67 for each misdemeanor conviction and \$92 for each felony conviction. Then the clerk of court must allocate specified portions of the collected surcharge in a specified order to appropriations that fund services for the rights of crime victims and witnesses and fund grants for sexual assault victim services. This bill allocates the entire surcharge to fund services for the rights of crime victims and witnesses and creates a general purpose revenue appropriation to fund grants for sexual assault victim services.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 **SECTION 1.** 20.455 (5) (c) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1           **SECTION 2.** 20.455 (5) (g) of the statutes is amended to read:

2           20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*

3           The amounts in the schedule for purposes of ch. 950. All moneys received from any  
4           crime victim and witness assistance surcharge authorized under s. 973.045 (1) ~~that~~  
5           ~~are allocated to this appropriation account under s. 973.045 (2m) (b), all moneys~~  
6           ~~received from any crime victim and witness assistance surcharge authorized under~~  
7           ~~s. 973.045 or (1m), and all moneys received from any delinquency victim and witness~~  
8           ~~assistance surcharge authorized under s. 938.34 (8d) (a) shall be credited to this~~  
9           ~~appropriation account. The department of justice shall transfer from this~~  
10          ~~appropriation account to the appropriation account under par. (kj) the amounts in~~  
11          ~~the schedule under par. (kj).~~

12          **SECTION 3.** 20.455 (5) (gc) of the statutes is renumbered 20.455 (5) (e) and  
13          amended to read:

14          20.455 (5) (e) ~~Crime victim and witness surcharge, sexual~~ Sexual *assault victim*  
15          *services.* ~~All moneys received from any crime victim and witness assistance~~  
16          ~~surcharge authorized under s. 973.045 (1) that are allocated to this appropriation~~  
17          ~~account under s. 973.045 (2m) (a),~~ The amounts in the schedule to provide grants for  
18          sexual assault victim services under s. 165.93 and to administer the grant program.

          \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
          reflected in the revised schedule in s. 20.005, stats.

19          **SECTION 4.** 20.455 (5) (kj) of the statutes is repealed.

          \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
          reflected in the revised schedule in s. 20.005, stats.

20          **SECTION 5.** 20.455 (5) (kk) of the statutes is repealed.

          \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
          reflected in the revised schedule in s. 20.005, stats.

21          **SECTION 6.** 165.93 (2) (a) of the statutes is amended to read:

1 165.93 (2) (a) Beginning on January 1, 1995, the department shall provide  
2 grants to eligible organizations from the appropriation under s. 20.455 (5) ~~(ge)~~ (e) to  
3 provide services for sexual assault victims.

4 **SECTION 7.** 950.06 (2) of the statutes is amended to read:

5 950.06 (2) The costs of providing services under sub. (1m) shall be paid for by  
6 the county, but the county is eligible to receive reimbursement from the state for not  
7 more than 90% of the costs incurred in providing those services. The department  
8 shall determine the level of services for which a county may be reimbursed. The  
9 county board shall file a claim for reimbursement with the department. The  
10 department shall reimburse counties under this subsection from the ~~appropriation~~  
11 appropriations under s. 20.455 (5) (k), ~~(kk)~~ and (kp) and, on a semiannual basis, from  
12 the ~~appropriations~~ appropriation under s. 20.455 (5) ~~(e)~~ and (g).

13 **SECTION 8.** 973.045 (1r) of the statutes is repealed.

14 **SECTION 9.** 973.045 (2) of the statutes is amended to read:

15 973.045 (2) After the clerk determines the amount due, the clerk of court shall  
16 collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The  
17 county treasurer shall then make payment to the secretary of administration under  
18 s. 59.25 (3) (f) 2. The secretary of administration shall credit to the appropriation  
19 account under s. 20.455 (5) (g) the amount paid to the secretary by the county  
20 treasurer under this subsection and any amount collected under sub. (4).

21 **SECTION 10.** 973.045 (2m) of the statutes is repealed.

22 **SECTION 11.** 973.045 (3) of the statutes is repealed.

23 (END)

LRB-0538/p7ins  
CMH:.....

- 3           165.93 (2) (a) ~~Beginning on January 1, 1995, the~~ The department shall provide  
4           grants to eligible organizations from the ~~appropriation~~ appropriations under s.  
5           20.455 (5) ~~(ge) (e) and (gj)~~ to provide services for sexual assault victims.

**History:** 1993 a. 16, 227; 1995 a. 225; 2005 a. 253, 277, 278; 2007 a. 1.

\*\*\*\*NOTE: This is reconciled s. 165.93 (2) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-0538/p6 and LRB-0839/p4.

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0538/p7dn

CMH:/:...

*sac*

*- date -*

\* This draft reconciles LRB-0538/p6 and LRB-0839/p3. All of these drafts should continue to appear in the compiled bill.

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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

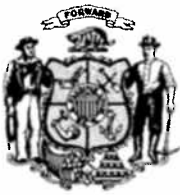
LRB-0538/p7dn  
CMH:sac:rs

February 13, 2013

This draft reconciles LRB-0538/P6 and LRB-0839/P3. All of these drafts should continue to appear in the compiled bill.

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State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0538/P7  
CMH:wlj&wlj:rs

DOA:.....Kirby, BB0093 - Crime Victim Compensation Changes

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

1      **AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**JUSTICE**

Under current law, if a court imposes a sentence or places a person on probation following a conviction for a crime, the court must impose a crime victim and witness assistance surcharge of \$67 for each misdemeanor conviction and \$92 for each felony conviction. Then the clerk of court must allocate specified portions of the collected surcharge in a specified order to appropriations that fund services for the rights of crime victims and witnesses and fund grants for sexual assault victim services. This bill allocates the entire surcharge to fund services for the rights of crime victims and witnesses and creates a general purpose revenue appropriation to fund grants for sexual assault victim services.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2      **SECTION 1.** 20.455 (5) (c) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1           **SECTION 2.** 20.455 (5) (g) of the statutes is amended to read:

2           20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*

3           The amounts in the schedule for purposes of ch. 950. All moneys received from any  
4           crime victim and witness assistance surcharge authorized under s. 973.045 (1) ~~that~~  
5           ~~are allocated to this appropriation account under s. 973.045 (2m) (b), all moneys~~  
6           ~~received from any crime victim and witness assistance surcharge authorized under~~  
7           ~~s. 973.045 or (1m), and all moneys received from any delinquency victim and witness~~  
8           ~~assistance surcharge authorized under s. 938.34 (8d) (a) shall be credited to this~~  
9           ~~appropriation account. The department of justice shall transfer from this~~  
10          ~~appropriation account to the appropriation account under par. (kj) the amounts in~~  
11          ~~the schedule under par. (kj).~~

12          **SECTION 3.** 20.455 (5) (gc) of the statutes is renumbered 20.455 (5) (e) and  
13          amended to read:

14          20.455 (5) (e) *Crime victim and witness surcharge, sexual Sexual assault victim*  
15          *services.* ~~All moneys received from any crime victim and witness assistance~~  
16          ~~surcharge authorized under s. 973.045 (1) that are allocated to this appropriation~~  
17          ~~account under s. 973.045 (2m) (a),~~ The amounts in the schedule to provide grants for  
18          sexual assault victim services under s. 165.93 and to administer the grant program.

          \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
          reflected in the revised schedule in s. 20.005, stats.

19          **SECTION 4.** 20.455 (5) (kj) of the statutes is repealed.

          \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
          reflected in the revised schedule in s. 20.005, stats.

20          **SECTION 5.** 20.455 (5) (kk) of the statutes is repealed.

          \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
          reflected in the revised schedule in s. 20.005, stats.

21          **SECTION 6.** 165.93 (2) (a) of the statutes is amended to read:

165.93 (2) (a) ~~Beginning on January 1, 1995, the~~ The department shall provide grants to eligible organizations from the ~~appropriation~~ appropriations under s. 20.455 (5) ~~(g) (e) and (g)~~ to provide services for sexual assault victims.

\*\*\*\*NOTE: This is reconciled s. 165.93 (2) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-0538/P6 and LRB-0839/P4.

**SECTION 7.** 950.06 (2) of the statutes is amended to read:

950.06 (2) The costs of providing services under sub. (1m) shall be paid for by the county, but the county is eligible to receive reimbursement from the state for not more than 90% of the costs incurred in providing those services. The department shall determine the level of services for which a county may be reimbursed. The county board shall file a claim for reimbursement with the department. The department shall reimburse counties under this subsection from the ~~appropriation~~ appropriations under s. 20.455 (5) (k), ~~(kk)~~ and (kp) and, on a semiannual basis, from the ~~appropriations~~ appropriation under s. 20.455 (5) ~~(e)~~ and (g).

**SECTION 8.** 973.045 (1r) of the statutes is repealed.

**SECTION 9.** 973.045 (2) of the statutes is amended to read:

973.045 (2) After the clerk determines the amount due, the clerk of court shall collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to the secretary of administration under s. 59.25 (3) (f) 2. The secretary of administration shall credit to the appropriation account under s. 20.455 (5) (g) the amount paid to the secretary by the county treasurer under this subsection and any amount collected under sub. (4).

**SECTION 10.** 973.045 (2m) of the statutes is repealed.

**SECTION 11.** 973.045 (3) of the statutes is repealed.

(END)